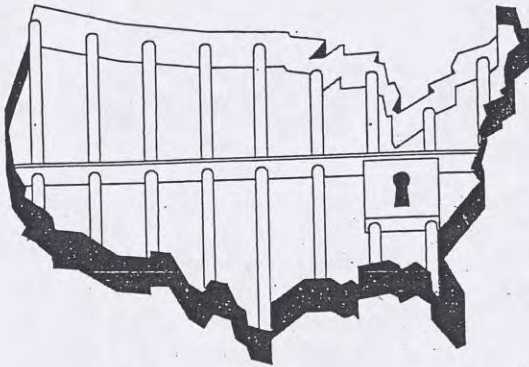


KEVIN'S UPDATE LETTER
KUL #23, AUGUST 2014



ADDRESS:
KEVIN F [REDACTED]

It's another update letter (#23). I'm now into my 41st month at FSL-Elkton. Prison's a lot different from my old life of freedom, teaching, and research. Every couple of months introduces a few new adventures and some new thoughts and ideas. I've tried to put some of those in this letter. I wish I could write everyone a personal letter all the time or call everybody, but since I can't, this letter has to do for now. I do enjoy your letters and emails, and I try to return them when you write. Folks mentioned that they enjoyed "A Day in the Life" in the last letter. It makes a return appearance. Also, I've included some information on the state of federal prison reform and a few other "thought" pieces. Enjoy

Cuyahoga,

*
* Kevin F [REDACTED]
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WORK- I continue to work in Education as a GED tutor. As I mentioned in my last letter, my boss was injured in a motorcycle accident that also killed her husband. We have not been able to get much information on her other than that she is home and rehabilitating. She will return to Elkton at some point. Since the prison is basically understaffed (and there is no more overtime shifts to cover gaps), we don't have an A.M. education staff person. So even though I'm technically "A.M. Education detail," I don't have a boss. Instead I work from 12-2, and the education staff member who works the PM shift oversees me and my class. I don't have a lot of students at this point, but a few take the GED and pass every time it's offered. It's not like a year ago when I taught 7-9 a.m., 9-10:50 a.m., and 12-2 p.m., but it still keeps me occupied with reasonably motivated guys who earn their GEDs. In fact, I think we've graduated so many guys that there are basically few left to work with. Sort of putting ourselves out of business. There really is something special when someone who has never been especially good at school (Remember, they all dropped out before finishing high school) accomplishes something like earning his GED. It's nice to find out that you are actually better at something than you thought you were.

The exams from earlier in the year that hadn't been scored are now complete, and a whole bunch of my students that were in limbo have all received the good news that they're passed.

RECREATION- Our softball team was going along fine and then we lost our best player. We struggled and lost some games, but we've regrouped and are winning again. We have about 3 weeks left in the season, and then we move to the playoffs. After the playoffs, there's a brief "fall ball" season. I'm in the top 5 in the league in RBIs and in the top 10 in triples. I continue to do spin class (M,W,F; 2-3). We're down to 3 people, and the other 2 guys in the class will be leaving soon. I'll

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TRULINCS [REDACTED] - F [REDACTED], KEVIN - Unit: [REDACTED]

take over the teaching and populate the class with guys I know who are looking to drop weight. Later in the letter is a story about 4th of July racing. Enjoy. A similar series of events will take place over Labor Day and hopefully, we'll have another good showing.

VISITS- I know a lot of folks here don't get visits, and I'm fortunate and thankful to have them. Recent visitors include Bruce from Chicago and Dan and Run Li from Columbus on the July 12 weekend. Bruce was here for F/Sat and Dan and Run Li made it over on Sat. morning. My friend Al M. from Ft. Lauderdale visited on the August 9th weekend. My college friend and fraternity brother Lee D. visited on the August 23rd weekend. All of these folks have been here before, and it was a relaxed time. I felt bad that I was eating the vending machine food in front of Bruce and told him that he should eat something. He hesitantly shared that when he left the visit for the evening that he could (and would) go to to an actual restaurant and have really good food. He didn't want to fill up on junk food. Yeah, I guess I had sort of forgotten that. We had a chuckle over it. We've taken pictures at visit. If you want a photo (you could, right?), just ask, and I can send one along.

PSYCH PROGRAM- The counseling program is complete. I received my evaluation. It's pretty good though there are some minor quibbles with it that I won't bother challenging. As far as prognosis and such, they said mine was good. I continue to go one hour per week to an "issues group" that is intended to be sort of an after care group for any acute issues that arise.

WRITING- One reason this letter is running late is that I'm doing some writing on the side that takes up some time. I don't want to give away what those projects are yet until they develop a little more. I keep you posted when they get some heft to them.

POST RELEASE EMPLOYMENT- I'm working on a few different angles at jobs. Working on the resume', tracking down contact info. for companies doing the type of work I need to do when I get out of here. I need to write former employers about providing good letters of reference, etc.

BANNING THE BOX- Illinois has become the 5th state to ban private employers from asking potential employees about criminal history. This "Ban the Box" initiative is a way to help felons get past the initial screen where so many of them fail. The hope (and the essence of mandate of the law) is that employers have to first look at a potential employee's qualifications before asking about criminal history. Employers can always get around this but part of the idea is to set a tone to make it okay and desirable to bring felons back into the workforce.
[boomerang employees]

ARTWORK- I took an art class here a few years ago. I haven't been able to do as much with that as I'd like, but if you look at the little stickers on your envelope, that's some of my most recent work. Just playing around with themes, motifs, shading. It's not much, just doodles...grin. Hopefully, there will be more this winter when inclement weather sets in and we're stuck in the units and the cubicles. I've got water color paper/water color pencils and drawing pencils/paper to work with. That should be enough for my meager talents.

LOOKING AT A YEAR LEFT-As fall approaches, I'm getting close to a year from halfway house. In a couple of months, I should learn how much halfway house time I get. I'll spend it in Chicago (fingers crossed). I'll be eligible for between 6 and 9 months. Hopefully, I'll have found some promising job prospects before I leave and have most of the logistics set up for getting re-established in Chicago. The sooner I have a place to work, the sooner I can leave the halfway house and finish the rest of that 6-9 month time on ankle bracelet and under house arrest (still technically in custody but in a better situation). I have some folks helping me pursue job leads. Since I don't have the Internet to search for jobs and to investigate companies, this is really key.

BOOMERANG EMPLOYEES- Speaking of getting back to work, I saw this piece in The Week and thought of myself a bit. I provide tongue-in-cheek, bracketed comments to the articles questions: "Are you interested in returning to work for a former employer?" asked Alina Tugend in the New York Times [Well, sure]. Though "there is no hard data on how frequently employers rehire workers who've left to go elsewhere, experts say bringing back so-called boomerang employees is a growing trend" [I'm intrigued, tell me more...]. Thanks to social media, it's easier for companies to keep track of former workers [Ain't that the truth; I think they know where I am.], and it's often cheaper to rehire them because firms can bypass the search process." [And I'll work for cheap(er). "Search process?" They know where to find me]. Plus there's less risk, since "employers know what they're getting." [I excelled at the office. Home office was problematic, but that's behind me. I have an extensive CV, and my probation officer has a file he can forward] But there are pitfalls, and experts say potential boomerangs should consider carefully why they left in the first place [I was fired for a felony and I was going to prison. It was definitely an "It's me, not you" situation]. If you had a rocky relationship [nope], were underpaid [not really], or lacked growth opportunity [again, no], "there's no guarantee" those problems will be resolved [nope, the issues were all mine. Let's consider them resolved and let's talk!!]

BACK IN GA/AL/IL

TRULINCS [REDACTED] - F [REDACTED], KEVIN - Unit: [REDACTED]



For the most part, things are good for my family and friends. My older brother is recuperating from a torn Achilles tendon and has just returned to work. My Aunt Dottie is home recovering from a broken hip she suffered in a fall. Aunt Sissy is recovering from a broken leg in an auto accident (In spite of it, she still hosted a family reunion). My nephew is playing travel baseball. My nieces (I have 4) are busy being a mom, making the middle school/JV softball team roster, or continuing soccer. One niece, a rising high school senior, made 4 and 5 on her A.P. exams and is looking at colleges. Young cousins are alternately athletes (middle school tennis) or brilliant bookworms (or both!). My brother's restaurant continues to produce tried-and-true successes and introduce new dishes and specials. Go eat there if you haven't been there in awhile. Cousin Peggy and her family went to Florida, and Peggy tortured me with a meal-by-meal recap of shrimp and fish and then an almost pornographic description of making a sandwich with a tomato from her garden. Mom and Dad are good. Rabbits ate dad's veggies in the garden, and he's convinced that passers-by took pears from his pear tree...so fewer preserves this year. Friends everywhere are using the summer to see friends and family. There's some sadness in the family, but folks are trying to help one another through it.

In Chicago, things are good. I think my close friends are all tired of me being here and are ready to spend time with me in person. In due time. Folks' businesses are doing well from what I hear. My friends Billy and Paul made the move to Berkeley, CA and I owe them a congratulatory call or letter.

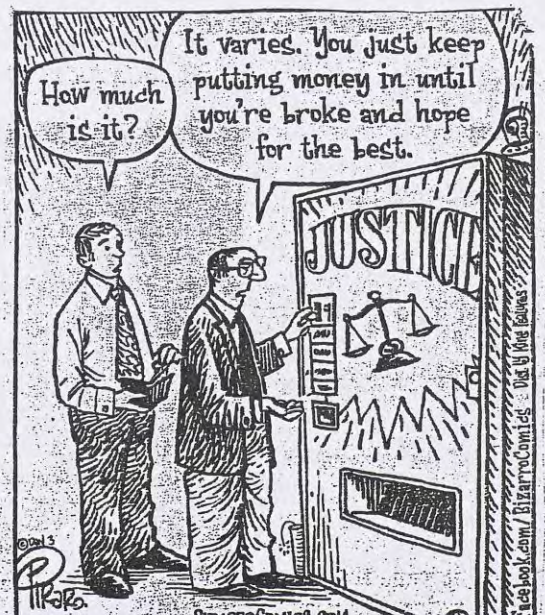
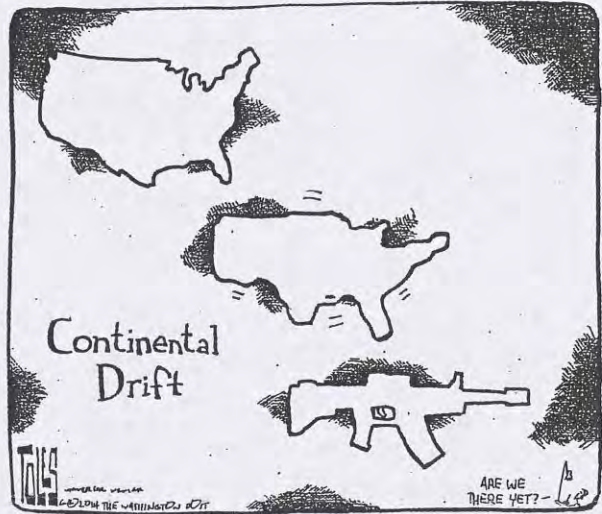
If I have to be here, I'm glad that everyone has good things happening for them.

That's all for this part of the letter. Enjoy the rest.

Best and Peace,

Kevin [REDACTED]

WebDonuts.com



QUOTES/READING

"As Duke Ellington once said, the Battle of Waterloo was won on the playing fields of Elkton" --Babe Ruth, in butchering a quote about the British school Eton. Noticed in Bill Bryson's 1927: A Summer [Who knew Elkton had so much historical significance?]

"He who lives outside the law is a slave. The free man is the man who lives within the law whether that law be the ^{physical} or the divine." -- Booker T. Washington

"If you are going through hell, keep going." --Winston Churchill

"The road to excess leads to place of wisdom." --poet William Blake in The Marriage of Heaven and Hell

"They've got a million dollar Jurassic Park fence and a mobile guard truck with a guy with an itchy finger. You guys aren't going anywhere. Hell, half of y'll drove yourself here and turned yourself in anyway." --overheard comment by C.O. during a morning lockdown census count here at FSL.

"Stop imprisoning people who represent the least possible danger to safety when they're out." --Professor Ernest Druker

"I was naked and you clothed me. I was sick and you visited me. I was in prison and you came to me...Truly, I say to you, as you did it to one of the least of my brothers, you did it to me". --The Bible, Mat. 25: 36, 40

"This heffer is trippin'...she was clean and smellin' good. aint no way that sh-t happen like she said. She know her mama was gone be looking for her cause she was spose to be home at 7...the jig was up." --2006 Detroit police report of a 14 year-old who claimed she was raped in an abandoned home.

"I freed a thousand slaves. I could have freed a thousand more if only they knew they were slaves." --Harriet Tubman

"Violence isn't the victim's issue. It's the abuser's. To insinuate otherwise is irresponsible and disgusting." --ESPN's Michelle Beadle in response to colleague Stephen A. Smith's comment on football player Ray Price

"Does this country even want to learn anymore? That's an even more basic question. We learned nothing from the S&L crisis of the 1980s, nothing from the bursting of the tech bubble, and it appears we learned nothing from the financial crisis. It's like a child who touches a hot stove, and his response is to stick his head in the oven." -- Charles Price (Esquire)

"Some people argue that if you're never in the club, you simply can't understand it. But in this cause, I think not being in the club meant never drinking the club's Cool-Aid." --Sen. Elizabeth Warren (D-MA)

"I also learned an essential truth: When you have no real power, go public-- really public. The public is where the real power is." --Warren, again

"Our scientific power has outrun our spiritual power. We have guided missiles and misguided men." --MLK Jr.

"A little less complaining and whining, and a little more dogged work and manly striving, would do us more credit than a thousand civil rights bills." --W.E.B. DuBois

"She wants one-half and that's where I have my issue. I don't blame O.J." --AZ Cardinals defensive lineman Darnell Dockett in his tweet concerning an upcoming divorce. [Blame O.J. for what? Oh yeah....YIKES.]

"All women become like their mothers. That is their tragedy. No man does. That's his." --Oscar Wilde

"Humans don't know what they're doing. You can say we want everybody to be happy, or we want everyone to have long lives and have good health, but what kind of goal is that? That's the goal of your family dog." -- E.O Wilson (WSJ)

"The degree of civilization in a society can be judged by entering its prisons." --Fyodor Dostoyevsky, Louisville Courier-Journal [We'd be wise to remember this]

"It's not hard to make decisions when you know what your values are." --Roy Disney, Montreal Gazette

"If you want success, figure out the price. Then pay it." --Cartoonist Scott Adams

"Imagination is but another name for super intelligence" --Edgar Rice Burroughs

"The charm, one might say the genius, of memory is that it is choosy, chancy, and temperamental: it rejects the edifying cathedral and indelibly photographs the small boy outside, chewing a hunk of melon in the dust." --Author Elizabeth Bowen

"Never think you've seen the last of anything." --Eudora Welty

BOOKS

The Floor of Heaven: A True Tale of the Last Frontier and the Yukon Gold Rush --Howard Blum

1927: A Summer --Bill Bryson

A Fighting Chance --Elizabeth Warren

Wolf Hall -- Hilary Mantel

The Poetry Lesson --Anrei Codrescu

ALL THINGS IN MODERATION

ALL THINGS IN MODERATION

Guys will come up to me in the unit with health and nutrition questions. I have a passing familiarity with lots of these issues and some answers. Often times, the answer is simply "moderation is key." Is cooked food better than raw? Cooked food breaks down food tissues, liberates nutrients, aids digestion, and kills bacteria; however, charred meats become carcinogens.

Vitamins and minerals? Important, but remember that vitamins A, D, E, and K are fat-soluble and can become dangerous at high levels; ditto some minerals. Exercise? Very important, but over-exertion can lead to cramps and muscle pulls. Rest is vital to a work-out regimen. Sunshine is important for vitamin D production, mood, and important gene activation, but it's also the most ubiquitous carcinogen in the world for fair skinned Europeans and Americans. Traditional chemotherapy at one dose is a cure while at a higher dose is nothing but a poison.

And the truisms about health, medicine, and diet are basically true about everything in this world. "Best in moderation" would seem to upend the extant falsehood of "If some is good, more is always better." Sometimes, the adage "not safe at any speed" is true; sometime none of it's good.

Given that, why do our policy-makers seem to believe that long-term (and still longer-term) incarceration of non-violent criminals would ever be a good thing? In fact, realizing what I just pointed out about moderation, it's not. Indeed, imprisonment, like everything else is best practiced with restraint.

For instance, having spent over 3 years in prison, I can attest to the fact that the experience has been eye-opening. My arrest, pre-trial period, and incarceration have taught me very valuable lessons and shocked me awake. They have given me needed perspective and a time and a place for that to occur. It has served as a punishment for the crime that I have committed, and, I hope, satisfied the demands of a retribution-minded public.

Still, at the same time, we must realize that everything is done best in moderation. Like diet and exercise, we must consider the long-term incarceration of individuals and ask, "What are the benefits of moderation and the harms of over-doing it?" First off, increasingly long prison sentences doesn't make offenders less likely to re-offend, it makes them MORE likely. At some point we pass a point of benefit, and we move into a place that incarceration actually becomes detrimental to society and the stated goals of incarceration.

The stated charge of the judge at sentencing is to set the MINIMUM sentence necessary to achieve the goals of sentencing. Not some in-between amount or the greatest amount. The minimum amount. Early on, folks looked at prison and all of the bad things it can do to someone and said, "What's the least amount that we need to insist on to achieve what we need?" It demands restraint.

And we don't need to only consider the individual offender. We need to look at the communities from which the offenders are drawn. We have to consider the community as an organism. If we know too much of something can be a bad thing for an individual, we then need to also consider the cumulative impact of our actions. What are the impacts of our action to the collective social fabric of the community? At what point have we sentenced too many men from a community to prison so that we've exploded the fabric of the community? Instead of asking about sentencing an individual to prison, we also need to ask what we're doing to the entire community by stripping away men for too long.

A DAY IN THE LIFE

WEDNESDAY, JULY 30, 2007

DAY ~1,200 AT ELKTON-FSL

- 6 a.m.- Decide not to go to breakfast. Roll over and go back to sleep.
- 7 a.m.- Make bed, put on sweatshirt, look out window. Fail to find inspiration. Go back to sleep.
- 8 a.m.- Get up (late for me...), make coffee, wash face, and wet/comb hair. Pick up charged MP3 player from charging station in large TV room. Survey CNN: Israel/Gaza top news.
- 8:06- Wait on line to use email
- 8:15- Run over and explain to newly arrived guy how to use telephone. Inexplicably, he goes to SHU an hour later.
- 8:18- Get on computer to read email. Read announcement about institution recall today. Grass cutting? Not enough staff? OMG, could it be a SHAKEDOWN? (No, [relieved] they don't announce those). Select mailing labels and queue article for printing about GOP and Right on Crime reforms.
- 8:22- Realize that there's no morning recreation or education. Those department's are closed, understaffing. Maybe (?) afternoon work. Just lots of reading today (Announcement to America: Prison = lots of sitting around...)
- 8:25- Read Time magazine before giving it to others. Things I learn include: Author of Little Big Man (that I read here) died. Police in NY killed a guy using excessive force. SoCal folks are asked to use less water and actually use 20% more (explore/explain concept of "Tragedy of the Commons"), Phantoms in the Dirt is a new featured exhibit at Columbia College Chicago's Museum of Contemporary Photography. It runs through October 5. Putin's approval rating is somehow at 86% (uggggghh...huh?). Comcast has 144 lobbyists from 35 firms including 5 former Congressmen and one former FCC Chairman working Capitol Hill. (Prison reform needs more lobbyists)
- 9:17- Work on envelopes for newsletters (letters G-M) and label "sticky" drawings.
- 10:18- Get dressed for lunch. Cheeseburger Day. Take along 2 Ranch Dressing packets for "cheeseburger salad."
- 11:15- Leave lunch. Grab book/magazines from cube. Head to Education Dept. to teach GED.
- 11:16- Pass someone in hall and learn that Education is closed this afternoon, and we're, in fact, having an early recall at 1 pm
- 11:17- Go outside to read Bill Bryson's One Summer: America, 1927 at bocce court. Watch bocce ball.
- 12:27 p.m.- Come back inside from rec. yard.
- 1:00- Recall announced, "Return to the Housing Unit." 1:40 Stand up count-All still here.
- Learn from Bryson's 1927 book that Charles Ponzi defrauded 40,000 people of \$1,000,000 (\$10,000,000 in today's dollars) and spent 3.5 years in federal prison. That's a little over half what I received....Mine seems excessive to his.
- 2-3:00- Have extended conversation with another inmate about KY's sex offender registration and his lifetime supervision and how it impacts his marriage. Basically, how these arduous obstacles unnecessarily drive someone like him (with a preschool son) possibly to divorce. Unfortunately, this happens often. A spouse sees what the long-term relationship with someone on lifetime supervision and lifetime sex offender registration looks like, and they throw in the cards. Maybe it won't be as bad as it sounds for this guy, but who's to know for sure. In this particular case, with a pre-school age child involved, it might mean another broken home and another kid growing up without his father in the house. Here's another case where the SOR doesn't solve social problems as much as it helps create them.
- 3:15-4 Draw stickers for outside my envelopes.
- 4:00- STANDING COUNT- We're all still here.
- 4:15 MAIL CALL- a magazine and a couple of correspondences arrive. A returned letter with bad address. They moved.
- 4:30-445- Call and talk to Mom and Dad in GA
- 4:45- DINNER- Taco salad and minestrone soup (?). A little Mexican and a little Italian. Fusion cooking, baby!!!
- 6-6:10- Quick discussion with someone about the Psych Dept's diagnosis in his final write up. He wasn't happy with his diagnosis and senses that everyone received the same boilerplate recommendations (They did.)
- 6:15-6:30- Run to library to print out mailing labels and photocopy some things
- 6:30- 7:30 B league softball SOFTBALL game
- 7:30-915- More sticker drawing and coloring stickers for envelopes.
- 9:15-9:30- Neighbor brings by a line-drawing technique book (Joy of Zentangle) that I take and promise to practice. I don't find time to; he takes it back a few days later.
- 9:30- STAND UP COUNT. We're still all here.
- 9:45- Go to bed and read Pushcart Anthology: Prize Winning Short Stories by reading light.

Get rest for tomorrow that will be surprisingly like today.

A DAY AT THE RACES

So, I'm sitting at the softball games on Friday evening [as usual] just after the 4th of July. Earlier that day, I had gone to spin class. The teacher had cancelled the class for the holiday, but I had missed Wednesday's class and was unaware. Instead, I went outside and hit some softballs during the day. I went to dinner in my ensemble of tennis shoes, mostly clean sports shorts, and jock strap that I still had on from earlier in the day (This fact becomes important later on).

Someone points out that the special holiday sporting events are continuing with a 1-lap race on the track that surrounds the soccer and softball fields. There are multiple age categories, and mine, 45-and-older, is the last one going off. I have no plan to run. However, someone points out this really geeky-looking new guy (okay, I'm geeky-looking too, but not I'm not new here) and says, "He's running. He claims he's the smartest guy on the compound." I look over at him. "Really, he says that?" "Yeah he says that, and he says that he is going to win this race." I didn't think I was being goaded, but maybe I was. "One lap, huh?" I size up the track and know it's about 1/3 of a mile around the softball field and soccer field. I haven't run it in a long time and never in a race or at a full sprint.

"So, Kevin, are you going to run?"

"What? No, I have no intention of running." But secretly and deeply, I want to run and beat this cocky punk. He's probably not even the smartest guy here...and definitely not going to outrun me.

"Well, I do have my jock and shorts on. And I can run in these shoes."

So I sign up, line up, and tear it up. Five of us go off at a full sprint. Another guy and I tear out in front of everyone else. The leader has about a 20 yard lead on me that he builds upon. I can't hear anyone on my tail, so I know that I comfortably trail the leader. With about 100 yards to go and in an uphill homestretch, I kick it in. I'm moving and gaining. The leader looks back and sees me and stumbles. And I'm still gaining. As we approach the finish line, I'm closing, and closing, and closing. [Will I get there???

As we approach the line, he nips me by a second. I finish the 1/3 mile in 1:24.

So after the race, I received four single servings of Peach Ice Tea (Crystal Light). The winner received 8. Had I known there was Cool-Aid at stake, I'm sure I would have won.

Importantly, Mr. Smartest Man on the Compound finished a distant 4 out of 5. Mr. 5th place pulled a hamstring. Take that Geek Boy!!!

So, afterwards, folks asked, "Are you running the 5 lap race tomorrow night?"

"5 laps is a mile and a half. I'm not a runner, and I barely had a lap in me. I don't think so."

So the next morning, Mr. Vowels and I go outside after lunch to watch folks hit some softballs since there's no morning ball games.

Mr. Vowels asks, "So are you running tonight?"

"Not sure. I sprinted one lap, but I have no idea how I'd pace myself for 5 laps. Or if I could even make it."

Mr. Vowels: "You ought to run two laps just to see how you can do. See what kind of pace you can set."

So I line up from the previous evening's starting line and take off. I'm working a pretty solid lap. I finish the first lap and move into another one. I come around, not too spent, and he gives me my times. "2:02 on the first lap; 2:12 on the second lap."

Those are pretty good, but I don't think that I could do that for 5 laps.

I decide to race that evening, but I'm not sure what kind of pace to keep. I ask a runner upstairs in the unit and he suggests about a 2:30 pace with stronger laps toward the end.

The evening arrives, and four of us 45-and-older guys sign up to race. My biggest competitor from the night before decides to skip the race. But there are several other guys who are going to race me. I just want to run my race and set my pace. Mr. Vowels has loaned me his Ironman watch and showed me how to get my splits at the end of each lap.

The whistle goes off sending us on our way, and I get out front quickly. I don't want to play catch up again. I'm hyped with adrenaline, a little caffeine, and the hoots and hollers from the crowd. I get out to a good lead, and I'm really moving.

As I come around the last turn in the first lap and start up the hill in the homestretch, I can hear people yell, "F████ you've got a 100 yard lead." "The race is yours but go for a great time."

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TRULINCS [REDACTED] - F [REDACTED], KEVIN - Unit: [REDACTED]

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I hit the timer at the end of the first lap, 1:49. Really fast, but maybe too fast for this distance. Can I make it all five laps after such a blazing start?

I roll into the next lap. Long strides. Landing heel to toe. Deep breaths. I'm still moving and keeping a good pace. I come into the homestretch, and I can hear the crowd. "Damn F [REDACTED], great time." Another, "Go for a personal best." [This is my first race. This will be my personal best...DUH!!!!]. 2:03

I move into the third lap and about halfway through my legs are really starting to burn, and my lungs are aching. Have I bitten off more than I can chew? Have I over-promised? I'm tempted to look back and see how I'm doing, but I don't want to psyche myself out. I just want to run my race and leave it all on the track. But I don't hear any footsteps. Good sign.

I come into the backstretch and up the hill and decide to give it a little kick. I hit the watch button as I approach the finish/starting line. 2:13 for lap three.

I head into the fourth lap. A guy along the side of the track who has just walked up asks what lap we're on. I struggle to hold up four fingers. .But I try and keep form and think distracting thoughts. Foot up. Foot down. Left. Right. Left. Right. I sing songs in my head. I imagine sprinting to a fly ball in a softball game. God, what does a heat attack feel like anyway? Off to the right and across the softball field, I can see Smartest Guy on the Compound. He more than half a lap behind me. If I really push, can I lap this guy? I approach the start/finish line. 2:17 for the fourth lap.

Finally, I start my last lap. No chance to be caught unless I fall or twist an ankle. I'm spent, but I've got enough to finish this and win. I want those 8 packs of Peach Ice Tea. Any chance to catch that guy and lap him? Nope. I head into the back stretch of this lap and kick it up the hill--like I did to almost catch the guy in the 1-lap race. I really push it. I come across the finish line to the hoops and whistles of the crowd. I finish the race with a better final lap than the previous one, 2:16.

Exhausted, I collapse on the ground next to the track. I expect a crowd to hoist me on their shoulders for a celebratory, victory lap around the track. Instead, I'm mostly ignored. At least no one stepped on me. I gather myself, get up, and get my official time for the race.

So, I won the Cool-Aid and became an old, holiday, mini-hero. It felt fun.

The next night, I ran another old man race (4 person X 1 lap relay). There were only two teams, and my team finished second.

But I did close the gap on the leading team by 20 seconds on my leg of the relay. And importantly, we did finish "in the Cool-Aid."

Final tally: 3 races, 1 win, 2 second place finishes, and 16 packets of Cool-Aid.

Hope you enjoyed this little story about how we kill time here at Elkton-FSL!

From Famm

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(Families Against Mandatory Minimums)

LEGAL UPDATES

SUBJECT: CONGRESS UPDATE PART 1 OF 2

DATE: 08/10/2014 09:36:16 PM

PART 1 of 2

CONGRESS UPDATE: Congress has not voted on or passed any sentencing reform, earned time, or good time bills.

AUGUST RECESS and VISITS

The members of both houses of the U.S. Congress will be leaving Washington, DC and working in their home states between August 1 and September 8. This means that **NO BILLS WILL BE VOTED ON OR CONSIDERED IN CONGRESS UNTIL AFTER SEPTEMBER 8**, when the lawmakers return to Washington, DC. This break is called the August recess, and it happens every year.

Please encourage your loved ones to do face-to-face visits with their Congress members while the members are home during the August recess. People who do these visits should ask their lawmakers to support the Smarter Sentencing Act (S. 1410/H.R. 3382 see more below). If you have a loved one who wants to visit their members of Congress before September 8, please tell them to see Famm's website for details about how to arrange a meeting and what to say during that meeting. The information for these visits is available here: <http://famm.org/visit-your-congress-members-in-august-and-help-famm-change-laws/>

Updates on various bills are below.

SMARTER SENTENCING ACT

Contrary to what you may have heard elsewhere, the Smarter Sentencing Act is NOT dead. The bill will not "die" until December 31, 2014, the end of the current Congress, unless it is passed into law by that date. Famm and many other organizations are actively supporting the bill and trying to get it passed into law this year.

There are versions of the Smarter Sentencing Act pending in the House (H.R. 3382) and in the Senate (S. 1410). In July, more members of Congress decided to co-sponsor (support) the bills: the House version of the bill, H.R. 3382, now has 50 co-sponsors, and the Senate bill, S. 1410, now has 33 co-sponsoring Senators. The more co-sponsors, the more support there is for the bill, and the better are the chances of getting it up for a vote. We'll be continuing to urge Senators and Representatives to support the bill and bring it up for a vote this year. Your loved ones can do the same if they go visit their lawmakers in person during the August recess.

In the Senate, the Smarter Sentencing Act was passed out of the Senate Judiciary Committee in January, and Famm and many other groups are working hard to convince Senate Majority Leader Harry Reid (D-NV) to bring the bill up for a vote in front of the full Senate this year. We do not know if there will be a vote. Our biggest problem is time. Because this is an election year, Congress will not be working at all in August or October. That means we have very few "working days" left on which the bill could be brought up for a vote in the full Senate. But we have not given up hope yet.

In the House, the bill has not made it through a committee review yet, which is the first step to getting the bill passed. It has been very difficult to convince the House Judiciary Committee's leader, Representative Bob Goodlatte (R-VA), to review and advance the bill. One of the ways we can show him that this bill is important is to get even more members of Congress to support it. Having your loved ones meet with their U.S. Representatives during the August recess to ask them to support the bill could be a big help.

If it becomes law, the Smarter Sentencing Act would do three things:

- (1) Reduce most of the current 5-, 10-, and 20-year mandatory minimum drug sentences to 2-, 5-, and 10-year minimums instead.. This would not be retroactive.
- (2) Expand the criminal history part of the 5-part drug "safety valve" (18 U.S.C. s. 3553(f)). Under current law, only people with 0 or 1 criminal history points under the sentencing guidelines have a chance of qualifying for the safety valve and getting a sentence below the mandatory minimum term. The Senate bill would give people with 2 or fewer criminal history points and no violent, sex, terrorism, or section 922 or 924(c) convictions a chance to qualify. The House bill would give people with 3 or fewer criminal history points a chance to qualify. This change would not be retroactive.
- (3) Makes the Fair Sentencing Act of 2010 retroactive, so that approximately 8,800 federal prisoners still serving crack cocaine mandatory minimums received before August 3, 2010, could go back to court and request a sentence reduction. This is the only part of the bill that would be retroactive.

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Remember, THE SMARTER SENTENCING ACT IS NOT A LAW. To become a law, it must be passed by the full House, the full Senate, and signed by the President. WE DO NOT KNOW IF OR WHEN THE BILL WILL BECOME A LAW. Each year, thousands of bills are introduced in Congress, but very few of them become law. We'll keep you updated of the bill's progress.

EARNED TIME REFORM

There are three bills pending in Congress that would allow federal prisoners to earn time credits and spend more time at the end of their sentences in halfway houses or on home confinement, if they complete recidivism-reducing programs, meet certain eligibility requirements, and are categorized as having a low or medium risk of reoffending. The bills are the Public Safety Act (H.R. 2656, has 27 co-sponsors), the Federal Prison Reform Act (S. 1783, has 4 co-sponsors), and the Recidivism Reduction and Public Safety Act (S. 1675, has 9 co-sponsors). NONE OF THESE BILLS IS A LAW, AND WE DO NOT KNOW IF OR WHEN THE BILLS WILL BECOME LAW. To become law, the bills must be passed by the full House, the full Senate, and signed by the President. Each year, thousands of bills are introduced in Congress, but very few of them become law. We'll keep you updated of these bills' progress.

In mid-July, the House Judiciary Committee's Subcommittee on Crime held a hearing on prison reform. The Subcommittee heard from a panel of experts who urged Congress to increase recidivism-reducing programming in prison and described rehabilitative programs that have been working well in state prison systems. However, this was just a hearing—no bills were voted on or passed, and the Committee has shown no further interest in bringing an earned time bill up for debate or a vote. We do not know if or when the House Judiciary Committee will do more on any earned time bill.

There have been some rumors and talk about combining the Recidivism Reduction and Public Safety Act and the Smarter Sentencing Act into one bill and getting Congress to pass them together, as a package. Right now, though, that's all it is—rumors and talk. The two bills have not been combined, and we do not know if that will ever happen. We'll keep you posted on the progress of both the Smarter Sentencing Act and the Recidivism Reduction and Public Safety Act throughout the rest of this Congress.

MORE BILLS, MORE PROGRESS

Though it is frustrating that we didn't get the Smarter Sentencing Act voted on in the Senate this summer, it has been really exciting to see more and more people—including prominent Republicans—start supporting criminal justice reforms. Representative Paul Ryan (R-WI) is a powerful leader in the House of Representatives, and in a special report on fixing poverty, he urged Congress to pass reforms to mandatory minimum sentences and allow for more earned time credits for prisoners. All of the major possible Republican presidential candidates, except for Senator Marco Rubio (R-FL), have also expressed support for drug sentencing reforms.

Also, we've seen other kinds of reform bills introduced this summer. Both Republicans and Democrats are starting to care about criminal justice reform and to work together and agree about solutions. Senator Rand Paul, a Republican from Kentucky, has been particularly active. Here are some of the criminal justice reform bills introduced this summer:

RESET Act, S. 2657 (Senator Paul) this bill would eliminate the 18-to-1 disparity between crack and powder cocaine mandatory minimum sentences and treat the drugs equally. The bill would also make all federal simple possession of drugs offenses misdemeanors rather than felonies, by reducing the maximum sentences to one year. There is also a bill in the House, H.R. 2372, Fairness in Cocaine Sentencing Act, introduced by Rep. Bobby Scott (D-VA) to eliminate the 18-to-1 crack-powder disparity.

FAIR Act, S. 2644 (Senator Paul) this bill would require the government to meet a higher "clear and convincing evidence" standard of proof before seizing an offender's property through asset forfeiture and to show that there was a "substantial connection" between the property and the offense. There is no version of this bill in the House.

Record Expungement Designed to Enhance Employment (REDEEM) Act, S. 2567 (Senators Paul and Booker) this bill would allow some nonviolent offenders to have some of their criminal records sealed or some crimes expunged after fulfilling certain requirements and going through a petition process. The bill also provides incentives to states to increase the age of juveniles to 18 for criminal prosecutions and limits use of solitary confinement for juveniles. There is a version of this bill in the House, H.R. 5158, sponsored by Reps. Chaka Fattah (D-PA) and Frank Wolf (R-VA).

Civil Rights Voting Restoration Act, S. 2550 (Senators Paul and Harry Reid (D-NV)) this bill would restore the right to vote in federal elections to certain nonviolent offenders after they complete their sentences and probation. There are several other similar or even broader voting rights restoration bills pending in the House and the Senate.

*That's all,
Kevin*